

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<u>ILHAN SAYER and</u>	:	CIVIL ACTION - LAW
	:	
	:	
v.	:	
	:	NO.:18-0
	:	
<u>JAMES RIVER INSURANCE COMPANY</u>	:	

NOTICE OF REMOVAL

To: The Honorable Judges of the United States District Court for the Western District of Pennsylvania:

Defendant, James River Insurance Company ("James River"), hereby files this Notice of Removal of the above-captioned case from the Court of Common Pleas of Allegheny County, Pennsylvania, to the United States District Court for the Western District of Pennsylvania, and in support thereof, avers as follows:

1. This action was commenced by the filing of a Writ in the Court of Common Pleas of Allegheny County, Pennsylvania on August 8, 2018, with a Complaint filed August 9, 2018 under the caption Sayer v. James River Insurance Company, at Docket Number GD: 18-010265.

A true and correct copy of plaintiff's Complaint is attached hereto as Exhibit "A".

2. Plaintiff asserts claims for Breach of Contract and Bad Faith. *See Exhibit A.*

3. The policy limits for UIM coverage at issue are \$1 million. *See Exhibit A at paragraph 21.*

4. Therefore, the amount in controversy exceeds \$75,000.

5. Plaintiff, Ilhan Sayer, is presently and was at all times material to his Complaint, a citizen of the Commonwealth of Pennsylvania, residing within Pennsylvania. *See Exhibit A at paragraph 1.*

6. Defendant, James River Insurance Company, is an Ohio corporation with a principal place of business in Columbus, Ohio, and a mailing address in Richmond, Virginia. *See Exhibit A at paragraph 2.*

7. This lawsuit is removable from state court to the United States District Court for the Western District of Pennsylvania, pursuant to 28 U.S.C. §§ 1332(a)(1), 1441(a), and 1446(b).

8. A copy of all pleadings to date that have been served by and/or upon James River are attached here to this Notice. *See Exhibit A.*

9. This Notice is timely, as it is being filed within thirty (30) days of the receipt by James River of the initial pleading setting forth the claim for relief. *28 U.S.C. § 1446(b)(1).*

10. James River expressly reserves the right to raise all defenses and objections in this action after it is removed to this Honorable Court.

11. A true and correct copy of this Notice of Removal is being filed with the Prothonotary of the Court of Common Pleas of Allegheny County, Pennsylvania, as provided by 28 U.S.C. § 1446(d).

12. Written notice of the filing of this Notice of Removal will also promptly be given to all parties in this action as required by 28 U.S.C. § 1446(d).

WHEREFORE, notice is hereby given that this action is removed from the Court of Common Pleas of Allegheny County, Pennsylvania, to the United States District Court for the Western District of Pennsylvania.

McCORMICK & PRIORE, P.C.

BY: *Scott J. Tredwell, Esquire*
Scott J. Tredwell, Esquire
Attorney for Defendant,
James River Insurance Company

Dated: September 6, 2018